

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APL) NO.330/2015

Mohd. Arif Khan s/o Mohd. Salauddin Khan ..vs.. The State of Maharashtra, through PSO
P. S. Frezarpura, Dist. Amravati.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. P. R. Agrawal, Advocate for applicant.
Mr. Ahirkar, A.P.P. for non applicant-State.
Mr. Mirza, Advocate Assisting the Prosecution.

CORAM : A.B. CHAUDHARI, J.

DATE : JUNE 19, 2015.

The applicant has directly approached this Court in relation to the condition imposed by the learned trial Judge while granting anticipatory bail relating to deposit of Passport. The learned counsel for the applicant submits that the applicant is working in Merchant Navy and his job is such that he is required to have passport with him. The applicant, however, has not approached the trial Judge and as rightly pointed out by Mr.Mirza, the applicant should have complied with the order of the trial Judge to show respect to the order of the Court with which, I agree.

Be that as it may. Looking to the difficulty projected before me, I think, following order would subserve the interest of justice.

ORDER

(i) Criminal Application (APL) No. 330/2015 is allowed to be withdrawn with cost of Rs.5,000/- payable to the complainant-wife by applicant for disobeying the order of the trial Judge first.

(ii) Liberty is granted to the applicant to apply to the trial Judge for grant of relief prayed in this application, subject to the payment of costs as aforesaid.

JUDGE

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